

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ESTATE OF NICHOLAS REYNOLDS,

Plaintiff,

v.

CITY OF DETROIT, and
ESTATE OF DARRYL RANDALL,

Defendants.

Case No. 08-cv-14909

Paul D. Borman
United States District Judge

Paul J. Komives
United States Magistrate Judge

OPINION AND ORDER (1) ADOPTING THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION,

(2) DENYING DEFENDANT ESTATE OF DARRYL RANDALL'S MOTION TO DISMISS,
and (3) DENYING DEFENDANT CITY OF DETROIT'S MOTION TO DISMISS

Before the Court is Magistrate Judge Paul Komives's Report and Recommendation Denying Defendant Estate of Darryl Randall's Motion to Dismiss and Denying Defendant City of Detroit's Motion to Dismiss. (Dkt. No. 73.)

Having reviewed that Report and Recommendation, and there being no timely objections from either party under 28 U.S.C. § 636(b)(1) and E.D. Mich L.R. 72.1(d), the Court **ADOPTS** the Magistrate Judge's Report and Recommendation, **DENIES** Defendant Estate of Darryl Randall's Motion to Dismiss, and **DENIES** Defendant City of Detroit's Motion to Dismiss.

IT IS SO ORDERED.

s/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: January 10, 2011

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on January 10, 2011.

s/Denise Goodine

Case Manager